

INSPECTOR GENERAL

71p- 3308

OGC 76-6212
8 November 1976

OGC #2345-74

MEMORANDUM FOR: Inspector General

OGC Has Reviewed

STATINTL FROM

: [REDACTED]

Assistant General Counsel

SUBJECT

: Assistance to Other Government Components

REFERENCES

: A. Your Memo dated 1 October 1976, same subject
IG 76-3061
B. ODP Memo dated 7 September 1976, same subject
ODP 1725-76

1. Referent ODP memorandum requests approval for three types of activities:

a. Participation by ODP personnel -- as individuals, not as official representatives -- in ADP professional societies, in Government-sponsored ADP committees and user groups, and in vendor-sponsored ADP user groups, in each case for the purpose of promoting the exchange of data processing technical and administrative information;

b. Technical assistance to other Government (and non-Government) components, usually resulting from participation in these ADP committees and groups;

c. Approval to transfer ADP records containing intelligence information, or computer programs used to solve specific intelligence problems, to other Government organizations, upon receiving certification from the CIA component requesting the transfer, that the transfer is in compliance with HR [REDACTED] ANNEX E.

STATINTL

2. As concerns membership and participation of the type described in subparagraph 1a, this Office finds no legal objections to ODP personnel participating in these activities. It is understood that this participation occurs on an individual basis, and represents an exchange of unclassified technical ADP knowledge, and does not involve the exchange of actual Agency software or ADP file data. On this basis, I believe approval should be granted to participate in these activities on a continuing basis.

3. Indeed, with respect to that specific aspect of the activities mentioned in subparagraph 1a which consists of attendance and participation on an individual basis in professional societies, as distinct from the ADP user group activities, the issue would appear to be one of employee outside activities, requiring that type of approval, and not requiring approval on the basis of assistance to another Government agency.

4. As concerns the provision of technical assistance to other Government and non-Government components, it is our opinion that these activities should continue to be addressed and approved on an individual basis. As you know the Director has provided an assurance that this Office will review proposed requests for assistance to other Government organizations. In addition, there are certain combinations of non-Government organizations and activities where Agency participation would be inappropriate, if not actually unlawful.

5. As regards the transfer of ADP files containing substantive intelligence data, or the transfer of actual computer programs, here, too, it is our opinion that these transactions must continue to be approved by this Office on an individual basis. However, this Office interposes no objection to the procedural arrangement which ODP suggests in paragraph 5, Reference B; that is, requiring prior certification from the Agency component initiating the request for a transfer of ADP materials, that the transfer is

STATINTL in compliance with HR ANNEX E.

STATINTL

